

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration Nos. 2,303,854 and 2,303,855



MARLIN FINANCIAL & LEASING CORP.,)

Petitioner,)

vs.)

MARLIN LEASING CORPORATION)

Registrant.)

12-15-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

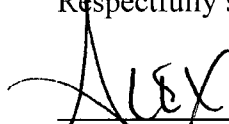
Cancellation Proceeding No. [92]040,944

STIPULATED MOTION TO DISMISS WITH PREJUDICE

The dispute underlying this cancellation proceeding has been resolved by the parties. The Petitioner, Marlin Financial & Leasing Corp., hereby stipulates to the dismissal with prejudice of its cancellation proceeding, and requests that the Board enter an order of the same effect. The Petitioner and the Registrant shall each be responsible for its own costs and attorney's

fees incurred in connection with this proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alex', is written over a horizontal line.

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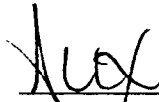
Attorneys for Petitioner

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that the foregoing STIPULATED MOTION TO DISMISS WITH PREJUDICE is being deposited with the United States Postal Service, first class postage prepaid, in an envelope addressed to

Bcx TTAB, NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

on December 12, 2003.



Alexandra T. MacKay

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing STIPULATED MOTION TO DISMISS WITH PREJUDICE is being deposited with the United States Postal Service, first class postage prepaid, in an envelope addressed to

Robb S. Harvey, Esq.
Waller Lansden Dortch & Davis, PLLC
511 Union Street, Suite 2100
Nashville, TN 37219

and

George Pelose, Esq.
Marlin Leasing Corporation
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on December 12, 2003.



Alexandra T. MacKay

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RE: Stipulated Motion to Dismiss with Prejudice

MARLIN FINANCIAL & LEASING
CORP.,

Petitioner,

vs.

MARLIN LEASING CORPORATION

Registrant.

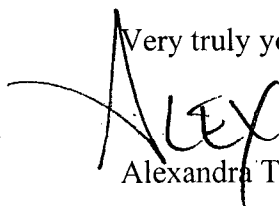
Cancellation Proceeding No. [92]040,944

Ladies and Gentlemen:

Enclosed please find a Stipulated Motion to Dismiss with Prejudice, which we are submitting in connection with the cancellation proceeding referenced above, along with a self-addressed stamped postcard. Please stamp the postcard to indicate your receipt of this document and return it to us.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


Alexandra T. MacKay

ATM:mv
Enclosure

07120N:020743:562145:NASHVILLE